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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,327	01/20/2000	Ryan S. Holmqvist	HOLMQVIST-1	4272

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EXAMINER

HOLLOWAY III, EDWIN C

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 07/09/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/488,327

Applicant(s)

HOLMQVIST, RYAN S.

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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EXAMINER'S RESPONSE

1. In response to the application filed 1-20-00, the application has been examined. The examiner has considered the presentation of claims in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 102 & 103

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 5-10, 12-17 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Holmes (US 5668852).

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Regarding claims 1, 8 and 15 Holmes discloses a paging system, method and network infrastructure with auxiliary information collector including decoding equipment 24 for extracting caller associated information (CAI) datum such as caller ID, and auxiliary information transmitter that automatically transmits the CAI to a pager. Answering equipment 20, decoding equipment 24 and messaging equipment 26 function as a calling ~~ing~~ center to handle incoming calls. See col. 3 line 25- col. 4 line 41 and figs. 1-2. Regarding claims 2, 9, and 16 caller ID information is received from an ANI transmission of the local telephone switching system or PSTN. Regarding claims 3, 10 and 17 prompting the paging party for CAI is in col. 4 lines 35-41. Regarding claims 5, 12 and 19 the CAI includes names, addresses and telephone numbers in col. 2 lines 34-38. Also, telephone numbers include area code and local exchange corresponding to location. Regarding claims 6, 13 and 20 a database is included in col. 4 lines 15-26 and col. 4 line 56 - col. 5 line 7. Buffer 32 may also be considered a database. Regarding claims 7, 14 and 21 an alphanumeric page is specified in col. 1 line 61-67.

5. Claims 4, 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) as applied above in

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combination with Chen (US 5592531), Aas (US 5940740) or Taskett (US 6044247).

Chen (col. 3 lines 1-35), Aas (col. 3 line 60 -col. 4 line 19) and Taskett (col. 4 lines 12-42) disclose analogous art paging systems, methods and infrastructures with voice recognition of input from a paging party as an alternative to input by DTMF from dialing or ANI so that the paging party simply speaks the desired information to the call controller. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the voice recognition of Chen, Aas or Taskett in system, method and infrastructure of Holmes applied above as an obvious alternative to the inputs of Holmes, because Holmes includes voice instructions in col. 1 lines 35-40 and because this would allow input by simply speaking the information by the paging party.

6. Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) as applied above in combination with Taskett (US 6044247) or Henderson (US 6278862).

Taskett (col. 8 lines 7-29 and fig. 6B) and Henderson (col. 12 lines 1-15 and fig. 6) disclose analogous art paging systems, methods and infrastructures with caller information including location. If location is given weight and not clear from Holes, it would have been obvious to one of ordinary skill in

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the art at the time the invention was made to have included the location information of Taskett or Henderson in the system, method and infrastructure of Holmes applied above as a caller ID suggested by the various CAI of Holmes.

7. Claims 6, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) as applied above in combination with Taskett (US 6044247) or Laufmann (US 6192218).

Taskett (col. 4 lines 42-56 and fig. 1) Laufmann (abstract) disclose analogous art paging systems, methods and infrastructures with caller information stored in a database associated with the call controller or center. If it is not clear that the database of Holmes is associated with the call center, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to have associated or located the database of Holmes at the call center as disclosed in Taskett or Laufmann for storing calling party information associated with the paging system.

8. Claims 7, 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) as applied above in combination with Pepe (US 5742668).

Pepe disclose analogous art paging system, method and infrastructure with various mobile communication subscribers disclosed in col. 5 lines 18-30 and shown in fig. 1 as pager 34,

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cellular phone 32 or personal digital assistant (PDA) 30. If cellular phone and PDA are given weight, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the PDA and cellular phone of Pepe in the system, method and infrastructure of Holmes applied above as variations of the alphanumeric pager mobile subscriber of Holmes.


CONTACT INFORMATION

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology center 2600 receptionist whose telephone number is (703) 305-4700.

Facsimile submissions may be sent via fax number (703) 872-9314 to customer service for entry by technical support staff. Questions regarding fax submissions should be directed to customer service voice line (703) 306-0377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (703) 305-4818. The examiner can normally be reached on M-F (8:30:-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (703) 305-4704.

EH
6/27/03


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
ART UNIT 2635